

Remarks

I. INTRODUCTION

Claims 11 to 23 remain pending in the present application. Reconsideration of the present application is requested.

II. OBJECTIONS TO THE DRAWINGS

The drawings were objected under 37 C.F.R. § 1.83(a). In particular, the Examiner indicated that "arrangements for new component detection, software error detections, etc." must be shown. Respectfully, in the example embodiments, these arrangements are part of a service element. The service element is illustrated in the figures 1 (element 2), 2 (element 9) and 3 (element 16). Accordingly, the arrangements are already adequately illustrated. Notwithstanding the foregoing, Applicants have added a new Figure 4 showing various arrangements of the service element. The Specification has also been amended to provide a brief description of Figure 4. Support for these amendments can be found throughout the original disclosure.

III. REJECTION OF CLAIMS 11 TO 14 AND 17 TO 20 UNDER 35 U.S.C. § 103

Claims 11 to 14 and 17 to 20 stand rejected under 35 U.S.C. § 103 as being obvious over U.S. Patent No. 6,185,491 to Gray et al. (the "Gray patent") in view of U.S. Patent No. 6,246,935 to Buckley (the "Buckley patent").

It is respectfully submitted that the Gray patent and the Buckley patent, whether taken alone or combined, do not render obvious any of claims 11 to 14 and 17 to 20, for at least the following reasons.

As regards the obviousness rejections, to reject a claim as obvious under 35 U.S.C. § 103, the prior art must disclose or suggest each claim feature and it must also provide a motivation or suggestion for combining the features in the manner contemplated by the claim. (See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990)). Thus, the "problem confronted by the inventor must be considered in determining whether it would have been obvious to combine the references in order to solve the problem", Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 679 (Fed. Cir. 1998). The prior art simply does not address the problems met by the subject matter of any of the rejected claims.

Claim 11 recites, inter alia, the following:

A service element that belongs to a distributed system as a component, the distributed system further including other components

that are independent of one another and interconnected by a bus, comprising:

- an arrangement for configuring the other components;
- an arrangement for upgrading the other components;
- an arrangement for maintaining the other components; and
- an arrangement for performing an emergency function.

Claim 19 recites similar subject matter.

In connection with the "arrangement for maintaining," the Examiner apparently relies on the Gray patent, col. 5, lines 44-62 and Figure 9 as disclosing this feature. Respectfully, this portion of the Gray patent does not appear to relate to "maintaining" a component. Instead, this portion describes the sound system can be controlled via the GUI. Figure 9 also shows that various other components (heat/ac, lighting and navigation), can also be controlled via the GUI. There is nothing in the portions of the Gray patent upon which the Examiner relies that discloses maintaining components.

In connection with Applicants' recited "arrangement for performing an emergency function," the Examiner apparently relies on col. 3, lines 52-54 of the Gray patent. Respectfully, portion of the Gray patent describes that the vehicle control center 110 can be used to control various devices of the vehicle (e.g., air bag activation, etc.). It does not describe that the vehicle control center, itself, performs an emergency function.

As regards Applicants' recited "arrangement for upgrading," the Examiner indicates that the Gray patent does not disclose this feature, and instead relies on the Buckley patent.

The Buckley patent does not cure the deficiencies of the Gray patent. For example, as regards the "arrangement for upgrading the other components [of the distributed network]," the Examiner relies on the Buckley patent at col. 10, lines 27-43. Respectfully, this portion of the Buckley patent appears to describe upgrading firmware of the CIPN microcomputer via an external device (via an infrared link). This section does not describe a component of a distributed network having the ability to upgrade a number of independent components of the distributed network.. In accordance with the example embodiment described in the present application, "the service element of the present invention and the distributed system of the present invention have the advantage that the service element is able to carry out configurations, upgrades, maintenance, and, if necessary, emergency functions on the components of the distributed system." (See Specification, page 1, lines 22-25).

For the foregoing reasons, the Gray patent and the Buckley patent, whether taken alone or combined, do not render obvious claims 11 and 19.

Claims 12 to 14, 17, and 18 depend from claim 11, and claim 20 depends from claim 19. According, the arguments presented above in connection with claims 11 and 19 apply equally to claims 12-14, 17, 18 and 20.

It is therefore respectfully submitted that the rejections of claims 11 to 14 and 17 to 20 should be withdrawn.

IV. REJECTION OF CLAIMS 15, 16, AND 21 UNDER 35 U.S.C. § 103

Claims 15, 16, and 21 stand rejected under 35 U.S.C. § 103 as being obvious over the Gray patent in view of the Buckley patent and further in view of U.S. Patent No. 6,330,499 to Chou et al. (the “Chou patent”).

Claims 15, 16, and 21 depend from allowable claim 11. It is therefore respectfully requested that the obviousness rejections be withdrawn since claims 15, 16, and 21 are allowable for essentially the same reasons as claim 11, and since the Chou patent does not cure the critical deficiencies of the Gray patent and the Buckley patent, which were explained above. This is because any review of the Chou patent makes clear that it simply does not in any way disclose or suggest the claim 11 features discussed above. Accordingly, claims 15, 16, and 21 are allowable.

It is therefore respectfully requested that the obviousness rejection as to claims 15, 16, and 21 be withdrawn.

V. REJECTION OF CLAIM 22 UNDER 35 U.S.C. § 103

Claim 22 stands rejected under 35 U.S.C. § 103 as being obvious over the Gray patent in view of the Buckley patent and further in view of U.S. Patent No. 4,866,713 to Worger et al. (the “Worger patent”).

Claim 22 depends from allowable claim 11. It is therefore respectfully requested that the obviousness rejections be withdrawn since claim 22 is allowable for essentially the same reasons as claim 11, and since the Worger patent does not cure the critical deficiencies of the Gray patent and the Buckley patent, which were explained above. This is because any review of the Worger patent makes clear that it simply does not in any way disclose or suggest the claim 11 features discussed above. Accordingly, claim 22 is allowable.

It is therefore respectfully requested that the obviousness rejection as to claim 22 be withdrawn.

VI. REJECTION OF CLAIM 23 UNDER 35 U.S.C. § 103

Claim 23 stands rejected under 35 U.S.C. § 103 as being obvious over the Gray patent in view of the Buckley patent and further in view of U.S. Patent No. 4,843,557 to Ina et al. (the "Ina patent").

Claim 23 depends from allowable claim 11. It is therefore respectfully requested that the obviousness rejections be withdrawn since claim 23 is allowable for essentially the same reasons as claim 11, and since the Ina patent does not cure the critical deficiencies of the Gray patent and the Buckley patent, which were explained above. This is because any review of the Ina patent makes clear that it simply does not in any way disclose or suggest the claim 11 features discussed above. Accordingly, claim 23 is allowable.

It is therefore respectfully requested that the obviousness rejection as to claim 23 be withdrawn.

VII. CONCLUSION

Each of the issues raised by the Examiner has been addressed. It is respectfully submitted that the present application is in condition for allowance. Passage to issuance is requested.

Respectfully submitted,

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